

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

PUNALERO DANCINGBUCK,

Plaintiff,

v.

Civil Action No. 3:17CV660

WILLIAM R. HANEY, et al.,

Defendants.

MEMORANDUM OPINION

Punalero Dancingbuck, a Virginia inmate proceeding pro se and in forma pauperis, filed this 42 U.S.C. § 1983 action. In order to state a viable claim under 42 U.S.C. § 1983, a plaintiff must allege that a person acting under color of state law deprived him or her of a constitutional right or of a right conferred by a law of the United States. See Dowe v. Total Action Against Poverty in Roanoke Valley, 145 F.3d 653, 658 (4th Cir. 1998) (citing 42 U.S.C. § 1983). In his fifty-six-page Complaint, Dancingbuck names countless defendants who appear to have been involved in his state criminal proceedings or in some alleged conspiracy. Dancingbuck's current rambling allegations fail to provide each defendant with fair notice of the facts and legal basis upon which his or her liability rests. See Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555 (2007) (quoting Conley v. Gibson, 355 U.S. 41, 47 (1957)). Accordingly, by Memorandum Order entered on April 30, 2018, the Court directed Dancingbuck

to submit a particularized complaint within fourteen (14) days of the date of entry thereof. The Court warned Dancingbuck that the failure to submit the particularized complaint would result in the dismissal of the action.

More than fourteen (14) days have elapsed since the entry of the April 30, 2018 Memorandum Order. Dancingbuck failed to submit a particularized complaint or otherwise respond to the April 30, 2018 Memorandum Order. Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of this Memorandum Opinion to Dancingbuck.

Date: June 5, 2018
Richmond, Virginia

/s/ *REP*

Robert E. Payne
Senior United States District Judge